

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
STATESBORO DIVISION

EDDIE FRANK FLOYD III,

PLAINTIFF, et al.

DOUG WILLIAMS

Mr. TOOL,

Defendant, et al.

CASE No. 6:18-cv-54

FILED
U.S. DISTRICT COURT
AUGUSTA DIV.

2018 JUL 30 AM 9:18

CLERK 
SO. DIST. OF GA.

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS

I. THE PARTIES TO THIS COMPLAINT

A. THE PLAINTIFF(S)

1. EDDIE FRANK FLOYD III

MAN-MAN, MAC II

1000618218

SMITH STATE PRISON

P.O. Box 726

Glennville, GA 30427

2. JAKEIA Bateman (witness)

Ashburn, Georgia 31714

3. Wendy Lofton (witness)

Ashburn, Georgia 31714

4. EDDIE FRANK FLOYD ITR (witness)

Ashburn, Georgia 31714

5. DAYSUA BROWN (witness)

Albany, Georgia 31709

6. Monquel TRAYOR (witness)

Ashburn, Georgia 31714

7. ZANETA FLOYD (witness)

Ashburn, Georgia 31714

8. Ashley Brown (witness)

Albany, Georgia 31714

9. MARIA JACKSON (witness)

Ashburn, Georgia 31714

10. JALAYSHA (witness, A victim on my child molestation case)

Ashburn, Georgia

11. TANAJA WESTBROOK (witness, A victim on my cruelty to children)

Ashburn, Georgia

12. WILLIE GILBERT (witness)

Ashburn, Georgia

13. JACKQUISE MOORE (witness)

Ashburn, Georgia

6

B. THE DEFENDANTS

1. THE ENTIRE GEORGIA DEPARTMENT OF CORRECTION, SMITH STATE PRISON, GLENVILLE, GEORGIA. From their Commissioner, Warden to their COI's. Also offenders who were housed at this facility. ALL OF THEM being sued in their individual capacity and official capacity.

II. BASIS FOR JURISDICTION

UNDER 42 U.S.C § 1983, you may sue state or local officials for the "Deprivation of ANY RIGHTS, PRIVILEGES, OR IMMUNITIES SECURED BY THE CONSTITUTION AND [FEDERAL LAWS]." UNDER BIVENS V. SIX UNKNOWN NAMED AGENTS OF FEDERAL BUREAU OF NARCOTICS, 403 US. 388 (1971), YOU MAY SUE FEDERAL OFFICIALS FOR the violation of CERTAIN, CONSTITUTIONAL RIGHTS.

A. ARE YOU BRINGING SUIT AGAINST

☒ STATE OR LOCAL OFFICIALS (a § 1983 claim)

B. SECTION 1983 ALLOWS CLAIMS ALLEGING THE "DEPRIVATION OF ANY RIGHTS, PRIVILEGES, OR IMMUNITIES SECURED BY THE CONSTITUTION AND [FEDERAL LAWS]." 42 USC § 1983. IF YOU ARE SUING UNDER SECTION 1983, what FEDERAL CONSTITUTIONAL OR STATUTORY right(S) DO YOU CLAIM IS/ARE BEING VIOLATED BY STATE OR LOCAL OFFICIALS?

DESCRIPTION: SINCE JUNE 2017, HERE AT THIS FACILITY, SMITH STATE PRISON I, MR FLOYD, plaintiff mentioned throughout this ~~complaint~~, "Administration From Commissioner to their COI's to their offenders violated my First Amendment, Eight Amendment (cruel and unusual punishment), Fourteenth Amendment (discrimination), Equal Protection Clause, and the Due Process Clause; NEGLIGENCE AND INTENTIONALLY, BY HANDING MY LEGAL DOCUMENTS; PERSONAL INFORMATION TO OFFENDERS HOUSED AT SMITH STATE PRISON HOUSED AT SMITH STATE PRISON, ON THE ADMINISTRATION SEGREGATION DUE TO KENTAVIOUS ELLIS "LOCK AND LOADED DUBICATION" OWNER WANTING MY IDEAS, HAVING MY BOOK (CRIME FICTION, JIGSAW), AND TO MAKE A MOVIE WITHOUT MY CONSENT. OFFICERS who had worked here at all times went to my relatives house using electronic devices, social media, telephone, to stalk me to obtain information about me to bring back to the institution to try to intimidate me and harass me. Under First Amendment officer retaliated on me for wanting to press charges on staff members, offenders, and filing previous lawsuits. OFFICER THAN PASSED TAPE RECORDERS, RADIOS AROUND THE J-BUILDING DORMITORY TO HARASS ME. THE OFFICES FROM 1ST SHIFT TO 2ND SHIFT AIMED THE CAMERAS AT ME LISTENING TO EVERYTHING THAT I WAS DOING THAN DISCUSSING IT AMONGST OTHER STAFF MEMBERS AND OFFENDERS. OFFICERS CONTACTED MY FAMILY OVER THE PHONE TALKING TO THEM AND ALLOWING OFFENDERS TO TALK TO THEM AS WELL, KENTAVIOUS ELLIS. OFFICER WOULD GO TO J-BUILDING DORMITORY SITTING BY OFFENDERS CELL DOOR TO ALLOW THEM TO HARASS ME AND STATE VULGAR SLURS TOWARDS ME. OFFICERS OPENED OFFENDERS TROY FIAP SO THAT THEY COULD EJACULATE ON THEM, TO AROUSE THEM TO HARASS ME. OFFICER WOULD WEAR CASUAL CLOTHES COMING ONTO THE FLOOR TO ENCOURAGE THE OFFENDERS. OFFICERS STATED THAT IT WAS ZANETA FLOYD, DANYSHA BROWN, ASHLEY BROWN, TANAYIA WESTBROOK, AND JALAYSLIA TRYING TO HARASS ME TO INTIMIDATE. OFFICER THAN BEGAN TO HINDER MY LEGAL MAIL, NOT ALLOWING ME TO HAVE ACCESS TO THE COURT, DENYING ME STORE, USING EXCESSIVE FORCE; STOPPING ME FROM PHASING OUT OF THE TIER II ADMINISTRATION SEGREGATION, DENYING ME MEDICAL, DENYING ME PROPER CLOTHING, DENYING ME PROTECTIVE CUSTODY, DENYING ME RIGHTS TO PRIVACY, ETC. WHEN I HAVEN'T VIOLATED A DUE PROCESS CLAUSE, NOR CAUSED ANY INFRACTION TOWARDS THEM, OFFICERS THAN BEGAN TO CALL ME "RAT" AND "DIE OR CATCH A LIFE" TRYING TO KILL ME. DAILY FROM 1ST SHIFT TO 2ND SHIFT. JUST TO MAKE A MOVIE, AND DUE TO A FEMALE STAFF MEMBER GIVING KENTAVIOUS ELLIS MY BOOK UNDER BEQUINN "KIA DAPHI" HAMLIN OR SINCERE "SHOCK G" CHILDS NAME WITHOUT MY CONSENT. Staff members continued

to deprive me my right to address the court, etc. Officers try to intimidate me by stating that I had a book published, movie published, etc. Officer contacted my love ones telling them that I had a PED date. Then when my family scheduled visitation they told my family that I was no longer here. Officer would call and come to work at 5:00 in the morning to harass me throughout the door until I was sleep to try to kill me. Officer stated herself that she was trying to kill me and wanted to give Kentavious Ellis my ideas. Officers could stalk me with their cameras even when I was asleep to listen to my dreams (beats I talk in my sleep), to give them to Kentavious. Throughout this complaint officers continued to utilized the cameras harassing me. STATING THAT I WASNT TALKING ABOUT NOTHING. DIE OR CATCH A LIFE WAS MANDATORY. RAT. LOCK AND LOADED. YOU AINT EVEN TELL ON ANYONE. BUT KILL YOURSELF. COMMIT SUICIDE. THIS MATTER CONTINUED TO I HAD MAX OUT DECEMBER 15, 2019. ALONG WITH OFFICER MAKING A MOVIE WITHOUT MY CONSENT. AND GIVING A BOOK TO ANOTHER WITHOUT MY CONSENT.

C. SECTION 1983 Allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any state or Territory or the District of Columbia." 42 USC § 1983. IF you are suing under section 1983, explain how each defendant acted under color of state law. (SEE II. BASIS FOR JURISDICTION SECTION B)

III. PRISONER STATUS

Indicate whether you are a prisoner or other confined person as follows

☒ CONVICTED AND SENTENCED STATE PRISONER

IV. STATEMENT OF CLAIM

(SEE II. BASIS FOR JURISDICTION SECTION B); AT ALL TIME MENTIONED HERE, MR. FLOYD LACK THE KNOWLEDGE OF THE LAW, AND WAS HINDER BEHIND CLOSE DOORS, IN A SPECIAL HOUSING UNIT WHERE I HAD ANY KNOWLEDGE OF CERTAIN OFFICERS, STAFF MEMBERS, AND OFFENDERS DUE TO THEM USING RADIOS, TAPE RECORDERS, AND THE CAMERAS. AT ALL TIMES I WAS LOCKDOWN IN MY CELL, ONLY ABLE TO COME OUT AND MOVE WITH OFFICERS SUPERVISION)

A. N/A

B. AT SMITH STATE PRISON; GLENVILLE, GEORGIA, J-BUILDING Dormitory, Administration Segregation TIER II PROGRAM, since June 2016, but officer and staff members came involved and started a campaign RIDE "RIOT" JUNE 2017 until this present time.

C. Since June 2017 - present, At Smith State Prison; Glennville, Georgia, Administration Segregation.

D. OFFICERS VIOLATED MY RIGHTS DAILY. DEPRIVING me my rights to legal mail outgoing, access to the court, excessive force, etc. All staff members from Warden to their CO'S harass me daily by calling me a RAT and telling me to DIE OR CATCH A LIFE. All staff members and offenders housed here knew of the matter, Also cameras seen the allegation and their action. Also speaking verbally to one another out loud or underneath their breath.

V. INJURIES

I LOST 12 lbs (pounds) due to staff members stopping my diet snacks when they knew I had a medical issue, taking food items from my tray; officer also caused me psychological harm causing me to talk to myself, stuttering in my speech stating things that were not mentioned nor had not been said. Nor did I know what I was talking about at some points, loss of sleep by shaking my door, a jock itch due to not giving me the proper medical attention; Emotional distress causing to want to kill myself, cry, toss my tablet out of the door, acting outrageous.

VI. RELIEF

1. A DECLARATION THAT THE ACTS AND OMISSIONS DESCRIBED HEREIN VIOLATED PLAINTIFFS RIGHTS UNDER THE CONSTITUTION AND LAWS OF THE UNITED STATES.
2. A PRELIMINARY AND PERMANENT INJUNCTION ORDERING DEFENDANTS HEREIN TO BE FIRED FROM WORKING AT SMITH STATE PRISON AND THAT DEFENDANTS BE HINDERED TO WORK AT ANY GEORGIA DEPARTMENT OF CORRECTION OR COUNTY JAIL THROUGHOUT THE STATE OF GEORGIA THAT ALL DEFENDANTS SERVE A PERIOD IN CONFINEMENT FOR SUCH BEHAVIOR. TO LET PLAINTIFF MR. FLOYD BACK TO SOCIETY OR BACK TO GENERAL POPULATION.
3. Nominal damages in the amount \$500,000,000 against each defendant jointly and severally.
4. Compensatory damages in the amount \$500,000,000 against each defendant jointly, and severally.
5. Punitive damages in the amount \$500,000,000 against each defendant jointly, and severally.
6. A Jury trial on all issues triable by the court.
7. Plaintiff cost in this lawsuit.
8. Any additional relief this court deems, just, proper and equitable.

VII EXHAUSTION OF ADMINISTRATIVE REMEDIES ADMINISTRATIVE PROCEDURES

THE PRISON LITIGATION REFORM ACT ("PLRA"), 42 USC § 1997e(a), requires that "[n]o Action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted."

A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

☒ YES

I was housed at Smith State Prison, Glennville, GA 30427.

B. Does the jail, prison, or other correctional facility where your claim(s) arose have a grievance procedure?

☒ YES

C. Does the grievance procedure at the jail, prison, or other correctional facility where your claim(s) arose cover some or all of your claims?

☒ DO NOT KNOW

D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose concerning the facts relating to this complaint?

☒ YES

E. IF YOU FILED A GRIEVANCE:

1. where did you file the grievance?

SMITH STATE PRISON, GLENNVILLE, GEORGIA

2. What did you claim in your grievance?

RETAUATION ON, FROM OFFICERS AND OFFENDERS; BEING HINDERED A CHANCE TO HAVE ACCESS TO THE COURT, DENIAL OF MEDICAL, DENIAL OF HAVING THE RIGHT TO SYNC MY GOAL DEVICE (EQUAL PROTECTION CLAUSE), OFFICERS GIVING MY PERSONAL FILE AND CONTACTING MY RELATIVES, DENYING ME STORE, DENYING ME A CHANCE TO GET A RESPONSE TO EXHAUST MY REMEDIES FURTHER TO HIGHER AUTHORITY, DENYING ME A CHANCE TO GET PROPER CLOTHING,

3. What was the result, if any?

DID NOT GET A RESPONSE, OFFICERS HANDED MY MATERIALS TO OFFENDERS, AND THE PROBLEM BECAME WORSE AND THE OFFICERS WHO WERE TAKING THE GRIEVANCE WERE INVOLVED.

4. What steps, if any, did you take to appeal that decision? Is the grievance process completed? If not, explain why not:

I FILED A COMPLAINT (1983), to show the courts that I was being deprived my rights. THE GRIEVANCES NEVER WERE ANSWERED DUE TO OFFICERS SUCH AS JESSICA MENCY, KRISTAMENCY RAMOS, NICOLE BENNETT, and Mr. Robling not turning the grievances in. However, I was able to receive the receipts to them accepting my grievance on the day that I had exhausted my remedies.

6. PLEASE SET FORTH ANY ADDITIONAL INFORMATION THAT IS RELEVANT TO THE EXHAUSTION OF YOUR ADMINISTRATIVE REMEDIES.

OFFICERS HINDERED MY GRIEVANCE THAN LAUGH ABOUT STATING THAT THERE WASN'T ANYTHING THAT I COULD DO, WE ARE TRYING TO KILL YOU, I WASN'T TALKING ABOUT NOTHING, AND I WAS TO DIE OR CATCH A LIFE, which was supposed to be mandatory; ALSO OFFICERS STATED "RAT" AND "STALK ME WITH THE CAMERAS THROUGHOUT MY INCARCERATION. ACTING AS IF THEY WERE MY FAMILY AND CHILD'S MOTHER WHO WERE INFORMING THEM OR COACHING THEM TO HINDER SUCH PROCEDURES

VIII. PREVIOUS LAWSUITS

THE "THREE STRIKES RULE" BARS A PRISONER FROM BRINGING A CIVIL ACTION OR AN APPEAL IN FEDERAL COURT WITHOUT PAYING THE FILING FEE IF THAT PRISONER HAS "ON THREE OR MORE PRIOR OCCASIONS, WHILE INCARCERATED OR DETAINED IN ANY FACILITY, BROUGHT AN ACTION OR APPEAL IN A COURT OF THE UNITED STATES THAT WAS DISMISSED ON THE GROUNDS THAT IT IS FRIVOLOUS, MALICIOUS, OR FAILS TO STATE A CLAIM UPON WHICH RELIEF MAY BE GRANTED, UNLESS THE PRISONER IS UNDER IMMINENT DANGER OF SERIOUS PHYSICAL INJURY." 28 USC § 1915(g)

TO THE BEST OF YOUR KNOWLEDGE, HAVE YOU HAD A CASE DISMISSED BASED ON THIS "THREE STRIKES RULE"?

☒ NO

A. HAVE YOU FILED OTHER LAWSUITS IN STATE OR FEDERAL COURT DEALING WITH THE SAME FACTS INVOLVED IN THIS ACTION?

☒ YES

B. PARTIES TO THE PREVIOUS LAWSUIT.
PLAINTIFF(S) EDDIE FRANK FLOYD III

DEFENDANT(S) DOUG WILLIAMS

2. COURT: DISTRICT COURT, STATESBORO DIVISION

3. DOCKET NO. I CAN'T REMEMBER

4. NAME OF JUDGE ASSIGNED TO YOUR CASE: I CAN'T REMEMBER

5. APPROXIMATE DATE OF FILING LAWSUIT: August 2015

6. IS THE CASE STILL PENDING?

☒ NO

IF NO, GIVE THE APPROXIMATE DATE IT WAS DISPOSITION: JUNE 2016

7. WHAT WAS THE RESULT OF THE CASE?

THE CASE WAS DISMISSED TO ME NOT ADDRESSING THE MATTER IN FULL DETAIL, DUE TO NOT ASKING FOR NOMINAL DAMAGES. THE JUDGE RULED FAVOR IN THE DEPENDANT DUE TO THERE NOT BEING ANYTHING ~~BE~~ TO BE ADDRESSED. I TRIED TO APPEAL THE COURT DECISION ON DUE PROCESS CLAUSE, DUE TO IT BEING IN THE GEORGIA SOP THAT WHEN ALL FOOD COMING FROM AN OUTSIDE VENDOR, EVERYONE WAS TO RECIEVE. TO THE COURT OF APPEALS, 11th CIRCUIT. BUT DIDN'T HERE ANYTHING ELSE FROM THE COURT.

C. HAVE YOU FILED OTHER LAWSUITS IN STATE OR FEDERAL COURT OTHERWISE RELATING TO THE CONDITIONS OF YOUR IMPRISONMENT?

☒ YES

D. IF YES, EXPLAIN

1. PLAINTIFF(S) EDDIE FRANK FLOYD III
DEPENDANT(S) DOUG WILLIAMS, etc AL.

2. COURT: DISTRICT COURT

3. DOCKET NUMBER: I CAN'T REMEMBER

4. NAME OF JUDGE ASSIGNED TO YOUR CASE: I CAN'T REMEMBER

5. APPROXIMATE DATE OF FILING LAWSUIT: JULY 2016

6. IS THE CASE STILL PENDING?

☒

IF NO, GIVE THE APPROXIMATE DISPOSITION: SEPTEMBER 2016

7. WHAT WAS THE RESULT OF THE CASE?

IT WAS DISMISSED. I TRIED TO APPEAL IT TO THE COURT OF APPEALS. THE COURT OF APPEALS ADDRESSED THE MATTER AND GAVE ME RELIEF TO PROCEED INFORMA PAUPERIS. THE STATE OF GEORGIA HINDERED MY LEGAL MAIL AND CRIMINAL MATERIALS TO PROCEED. DIDN'T HERE ANY ~~THING~~ ELSE.

IX CERTIFICATION AND CLOSING

UNDER FEDERAL RULE OF CIVIL PROCEDURE II, BY SIGNING BELOW, I CERTIFY TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF THAT THIS COMPLAINT: (1) IS NOT BEING presented for an improper purpose, such as to HARASS, CAUSE UNNECESSARY DELAY, OR

* CERTIFICATE OF SERVICE *

I swear by oath, that I placed a copy of a 1983 lawsuit inside the US MAIL with the adequate postage, along with an application to Proceed Informa Pauperis. to the following persons:

Executed at Smith State Prison 7-14-18

1) United States District Court
Clerk of Court
P.O. Box 1636
Brunswick, Georgia 31521

2) Attorney General
40 Capitol Square SW
Atlanta, Georgia 30330

Eddy Frank Floyd III
Eddy Frank Floyd III
260-65-2485
Smith State Prison
P.O. Box 726
Griswold, GA 30427

NEEDLESSLY INCREASE THE COST OF LITIGATION; (2) IS SUPPORTED BY EXISTING LAW OR BY A NONFRIVOLOUS ARGUMENT FOR EXTENDING, MODIFYING, OR REVERSING EXISTING LAWS; (3) THE FACTUAL CONTENTIONS HAVE EVIDENTIARY SUPPORT OR, IF SPECIFICALLY SO IDENTIFIED, WILL LIKELY HAVE EVIDENTIARY SUPPORT AFTER A REASONABLE OPPORTUNITY FOR FURTHER INVESTIGATION OR DISCOVERY; AND (4) THE COMPLAINT OTHERWISE COMPLIES WITH THE REQUIREMENTS OF RULE 11.

A. FOR PARTIES WITHOUT AN ATTORNEY

I AGREE TO PROVIDE THE CLERKS OFFICE WITH ANY CHANGES TO MY ADDRESS WHERE CASE-RELATED PAPERS MAY BE SERVED. I UNDERSTAND THAT MY FAILURE TO KEEP A CURRENT ADDRESS ON FILE WITH CLERKS OFFICE MAY RESULT IN THE DISMISSAL OF MY CASE.

DATE OF SIGNING: 7-14-18

Eddie Frank Floyd III
SIGNATURE OF PLAINTIFF

EDDIE FRANK FLOYD III

PRINTED NAME OF PLAINTIFF

1000611218

PRISON IDENTIFICATION NO.

SMITH STATE PRISON

P.O. BOX 726

GLENNVILLE, GEORGIA 30427

B. N/A

* VERIFICATION *

I HAVE READ THE FOREGOING COMPLAINT AND HEREBY VERIFY THAT THE MATTERS ALLEGED THEREIN ARE TRUE, EXCEPT AS TO MATTERS ALLEGED ON INFORMATION AND BELIEF, AND AS TO THOSE, I BELIEVE THEM TO BE TRUE; I CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

EXECUTED AT SMITH STATE PRISON 7-14-18

Eddie Frank Floyd III
Eddie Frank Floyd